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SUBJECT: UNSC: COUNCIL'S DECEMBER MEETING ON THE MIDDLE
EAST - LIBYAN SLIDESHOW

REF: STATE 127868

¶1. (SBU) Summary: UN Special Coordinator for the Peace Process Serry briefed the Council during its monthly meeting on the Middle East on December 17. He highlighted the lack of progress in seeking the two parties' return to the negotiating table. While noting that Israeli Prime Minister Netanyahu's announcement of a ten-month moratorium was a "step beyond" previous Israeli positions, he also noted its shortcomings and the December 13 cabinet decision allocating further funds to settlers. On Gaza, he reiterated his call for a "different approach," citing the continued lack of progress in trying to restart UN projects there, import/export restrictions at the crossings, and the clear attempts to import arms into Gaza. The Libyan Perm Rep insisted on delivering his remarks in the Council Chamber, given that it was his last Middle East meeting, and not in consultations, as previously agreed. He highlighted what he termed Council in-action on the Middle East and Israel's lack of accountability for violations of human rights. During his remarks, he produced a slideshow, including a set of pictures that he inaccurately characterized as showing a restrained Palestinian protester being killed by an IDF soldier. Ambassador Rice criticized the Libyan "rhetorical display designed to enflame." The majority of Council members in consultations stressed the need for the parties to return to consultations. A number of members recognized the Israeli settlements moratorium but called for a full freeze. They also commented on the continuing difficulties in Gaza and pressed for implementation of resolution 1860. Several members voiced support for the Palestinian Authority's efforts and for Abu Mazen. Council members also welcomed the Lebanese Parliament's vote of confidence in the new government. End summary.

Special Coordinator's Briefing

¶2. (SBU) UN Special Coordinator for the Peace Process Robert Serry briefed the Security Council during its monthly meeting on the Middle East on December 17. Serry enumerated the many obstacles that still hinder an effective peace agreement in the region, including low confidence between both parties, tensions in Jerusalem, settlement activity, and instability in Gaza. He described the urgency of the situation in the Middle East as a "race against time" for a decisive move towards a political endgame. Serry called on Israel to implement its Roadmap commitments, ease its stifling measures against Palestinian civilians, and move towards a resumption of negotiations. He called on the Palestinians to engage constructively with Israel on negotiation efforts and to continue their work on state-building projects. Serry noted Israeli Prime Minister Netanyahu's November 26 announcement of a ten-month moratorium on West Bank settlement construction which he termed "a step beyond previous Israeli government positions". He stated that the moratorium does not apply to the municipal boundaries of East Jerusalem. He also said an additional 110,000 settlers in the West Bank

were granted budget allocations on December 13.

¶3. (SBU) Addressing the situation in the West Bank, Serry characterized the Palestinian security forces' capabilities as improving. Despite this, 575 obstacles to movement still exist, he said, and Israeli forces conducted 64 incursions during the reporting period. Of growing concern, Serry said, are the increasing number of "price tag" attacks by Israeli settlers against Palestinian civilians because of the new moratorium. He noted in particular the "deplorable desecration" of the mosque in Yasuf. Serry reported that, while President Mahmoud Abbas has confirmed his decision not to run in future Palestinian elections, the Palestinian Liberation Organization's (PLO) Central Council authorized the extension of Abbas' current term until elections can be held. He said that the Central Council will meet again in ¶2010.

¶4. (SBU) On Gaza, Serry called for a "different approach," calling the blockade "unacceptable and counterproductive." He stated that imports were at approximately a quarter of their May 2007 level and that most of these imports are food and hygiene items. He said that Israeli authorities have still not authorized the UN to complete work on UNRWA and UNDP projects for housing, schools, and health facilities. Serry reiterated the call for the release of Gilad Shalit along with the 9,000 Palestinian prisoners in Israeli prisons. He reported that an S-5K rocket was fired from Gaza on December 5 and Egyptian authorities seized a truck carrying a ton of explosives destined for Gaza on November ¶23. Aside from these incidents, ten rockets and mortars were fired from Gaza towards Israel, without any reported

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injuries. An Israeli airstrike on November 27 injured four Palestinian militants, and one Palestinian man died on December 12 after being shot by Israeli forces near the border.

¶5. (SBU) Turning to the region, Serry noted his December 9 visit to Damascus regarding prospects for a resumption of the Israeli-Syrian track and noted that the situation in the Golan remains stable. He warned of a current Knesset bill that, if passed after its third reading, could make any future territorial return more complex. On Lebanon, Serry noted the confirmation of the new government, headed by Prime Minister Hariri. He reminded the Council that Israeli air violations over Lebanese territory continue nearly every day.

Libya Criticizes Council Inaction

¶6. (SBU) Abrogating the consensus agreed to in this month's Program of Work that members would exchange views in consultations rather than in public, the Libyan delegation insisted on exercising its right to speak in the Chamber. The Libyan delegation also decided to use visual aids. In his statement, the Libyan Perm Rep explained that he sought to use his delegation's last appearance in a Security Council meeting on the Middle East to evaluate the work of the Council. He noted that Libya had worked hard on the situation over the past two years, at times giving up its own national position, to make progress toward peace. Despite this, he lamented, Israel had remained "above the law and beyond accountability." He reviewed the events of Operation Cast Lead, including the use of white phosphorus (which he alleged was banned under international law), which had killed 1,500 civilians and destroyed United Nations facilities. Although the Security Council adopted a resolution and the Board of Inquiry had drafted a report on the matter, he claimed, nothing had happened in response. Libyan Perm Rep Shalgham also decried the many double standards used against Palestinians, claiming, "If the Palestinians elect a militant group, they are called terrorists. But if the Israelis elect terrorists, they are called democratic."

¶7. (SBU) During the Libyan Perm Rep's remarks, a slideshow played showing dead and injured Palestinians. Two-thirds of the way through his remarks, he directed the Council's attention to the projector screen, which displayed a photo of a young man restrained and blindfolded, standing surrounded by Israeli Defense Force (IDF) soldiers. In the second photo, the young man is lying on the ground. The Perm Rep said that the pictures had been published three days prior, and that one of the Israeli soldiers had killed the young man while he was restrained. (Note: The photos match footage distributed by B'Tselem of a Palestinian protester detained by the IDF at Ni'ilin, in July 2008. He was shot in the foot with a rubber bullet by an IDF soldier, apparently on orders, but not killed. We understand that the case against two IDF members is ongoing. End note.) Next, Shalgham showed several maps of Israel, the West Bank, and Gaza. Commenting on the increasing size of the settlements, he asked the Council where a Palestinian state would be created.

¶8. (SBU) Shalgham again spoke of double standards, this time comparing the uproar created over the detainment of Gilad Shalit to the little publicity given to the over 11,000 Palestinian men, women and children held in prison by Israel. He asked rhetorically if Shalit was a Boy Scout and if he had gone for a picnic to where he was captured, or if he had gone there to kill. Libya criticized "some members" for being hypocritical in making speeches on human rights, but failing to vote in favor of General Assembly resolution 64/10 on the Goldstone Report. In conclusion, he said that Libya's time on the Council had been a "bitter experience," and he regretted that "the poor Palestinians, the Arab system and the official Arab order" had taken a weak position on the issue.

US Response to Libyan display

¶9. (SBU) After the Libyan statement, Ambassador Rice asked for the floor. She reserved the right to make her longer statement in consultations but said, "I just want to say that, while we certainly respect any member's right to speak in the Chamber and say what they think, we think the better part of wisdom is to focus on the goal we all share, which is achieving a genuine two-State solution. A rhetorical display designed to enflame is not necessarily a constructive way to advance that goal. The United States remains fully committed to achieving a negotiated solution to the Israeli-Palestinian

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conflict, and we hope and expect that our colleagues on the Security Council will continue to be supportive in that endeavor."

Council consultations:
Parties need to return to the table

¶10. (SBU) The other 14 Council members spoke in consultations after the briefing. Ambassador Rice spoke first and drew from reftel. The UK Perm Rep, referred to the Libyan Perm Rep's remarks, and said grandstanding in the Chamber is not helpful. He said that Security Council members need to be sure that "all we do is for the benefit of progress and not just public rhetoric." The Chinese Deputy Perm Rep noted the previous day's anniversary of the Council's passage of resolution 1850 and hoped the international community, Israel, and the Palestinians would strengthen their efforts and move the peace process forward. The French Perm Rep emphasized that everyone knows the parameters of peace -- two states, but the two protagonists are facing internal challenges. He called for the international community to galvanize and press the two sides to sit down together, voiced support for the U.S. initiative, said he was sure that European Union and Arab states stand ready to assist, noting President Sarkozy's continuing

readiness to host a summit for peace.

¶11. (SBU) The Russian Perm Rep said the Moscow conference would be convened immediately after the resumption of negotiations with the full coordination of both parties. The Austrian and Croatian Perm Reps referred to the Council of the EU's annual conclusions on the peace process, published earlier in the month, and urged the parties to overcome the standstill. The Vietnamese representative underscored that this was their last meeting on the Middle East and reaffirmed Vietnam's intent to help the international community obtain a two-state solution. The Turkish Perm Rep reiterated Turkey's readiness to resume its role in indirect talks between Israel and Syria.

Settlements moratorium

¶12. (SBU) The French Perm Rep called the Israeli decision on the settlements moratorium a "step in the right direction" but noted that any settlement is illegal. The Chinese Deputy Perm Rep and UK and Ugandan Perm Reps also called the moratorium a step forward but urged a full freeze. The Mexican Perm Rep referred to the Israeli "partial restriction on settlements" which he said should not be ignored but that it does not fully respect the Roadmap, especially with regard to East Jerusalem. The Japanese Perm Rep said it is essential for Israel to implement all of its obligations, including a freeze of all settlements, including natural growth. Both the Austrian and Croatian Perm Reps took note of Israel's moratorium, called for an immediate end to settlements, and commented that the freeze was undercut by the Israeli cabinet's approval of a new National Priorities Map. The Chinese Deputy Perm Rep called for a refrain from any measures to change the status in East Jerusalem.

¶13. (SBU) The Turkish Perm Rep also took note of the moratorium which he termed limited in scope and timeframe and urged Israel to meet all of its obligations. He also referred to forced evictions in East Jerusalem and the substantial number of East Jerusalemites who have lost their residency rights in 2009. He noted OCHA's recent report that Palestinians have the right to build on only one percent of Area C land. The Russian Perm Rep called for both sides to abide by their commitments, especially in East Jerusalem, and the need to fight against extremism and to refrain from any steps that might impact the final settlement. The Vietnamese representative called for both sides to refrain from provocative acts. Turkey and Mexico expressed deep concern at the arson attack at the mosque in Yasuf and called for Israel to bring those responsible to justice and to prevent other such attacks.

Support for the PA and Abu Mazen

¶14. (SBU) The French Perm Rep called for support, especially financial support, of the Palestinian Authority and of President Abbas, especially by those who are most vocal in defense of the Palestinians. He noted France and the PA's recent signature of the "Framework Document of Partnership" on December 15 and the 200 million Euros in assistance, as promised by France at the Paris Conference. The Mexican and Ugandan Perm Reps highlighted the PLO's extension of

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President Abbas' term. The Vietnamese and Russian Perm Rep called for Palestinian reconciliation, with the Russian noting that Abu Mazen should be the national leader. Burkina Faso called for Palestinians to think of the higher interests of the Palestinian people and urged reconciliation. The Mexican Perm Rep asked Serry what else could be done to support Abu Mazen. Serry, responding at the end of consultations, said that Israel could further enable the Palestinian agenda of state-building. He commented that Israeli actions in East Jerusalem are a potential tinderbox

and he hoped Prime Minister Netanyahu would take the issue under his control. Serry said the Palestinians must move towards the negotiating table. He referred to his recent meetings in Washington and said that Special Envoy Mitchell would be returning to the region after the New Year. Serry underscored that the international community must create the atmosphere for both parties to "come back to the table."

Gaza

¶15. (SBU) A number of states commented on the negative situation in Gaza -- the continuing blockade, rocket fire, and arms smuggling -- and called for implementation of resolution 1860. The Austrian Perm Rep underscored that Israeli citizens should live free of fear from attacks. The Chinese Deputy Perm Rep called on donors to honor their assistance commitments. The French Perm Rep called for Shalit's release, and, in direct response to the Libyan Perm Rep's comments in the Chamber about Shalit, noted that Shalit had been abducted from Israeli territory. The Mexican Perm Rep called for a new approach on Gaza and asked Serry for his thoughts. Serry responded at the end of consultations, noting that he has been pressing for a new strategy on Gaza since his first briefing to the Council. He underscored that both he and the Secretary-General have not left a stone unturned in trying to open up Gaza for reconstruction. He described a UN housing project near Khan Younis that is almost completed and would provide housing for 500 families if Israel allows into Gaza the final materials. Serry concluded that he hopes there will soon be closure on Shalit since his release could be a linchpin for the resumption of UN projects.

Violations of human rights

¶16. (SBU) The Austrian Perm Rep, specifically responded to the Libyan Perm Rep's remarks in the Chamber, by reiterating Austria's call for national investigations of all violations of international humanitarian law and international human rights law. He also voiced an expectation that the parties would cooperate with the Secretary-General when he draws up his report to the General Assembly on the implementation of GA resolution 64/10. He noted that the Austrian mission had been informed by the Israelis of "some of what they are doing" to investigate but that they have not heard from the other side. He also pointedly responded to "members who give long speeches on human rights" that he regretted the lack of consensus in the negotiations on the GA resolution which resulted in the EU member states not being able to vote in favor of it.

Lebanon

¶17. (SBU) The Burkinabe, Croatian, French, Japanese, Russian, and Ugandan Perm Reps welcomed the Lebanese Parliament's vote of confidence in the government. Croatia call for the new government to address the disarmament of militias. The French Perm Rep emphasized the need for the full implementation of UNSCR 1701.

RICE